

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEBRA E. LEONARD,

Plaintiff,

-against-

MONY LIFE INSURANCE COMPANY,

Defendant.
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**ORDER REGULATING
DISCOVERY**

04 Civ. 5240 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

1. The parties request rulings by their joint letter dated September 6, 2005, submitted pursuant to my Chambers Rule 2E. My rulings follow:

2. Plaintiff's requests for discovery are timely, and the delay is adequately explained. The period for completing discovery is enlarged 90 days, to December 21, 2005.

3. Defendant's offer, to pull the files of a random group to determine the licenses held within that group, is accepted as a procedure to go forward. Based on the results of that sample, and depositions that may be appropriate arising out of that sample, the parties may apply to me for further rulings.

4. As to archival e-mails, plaintiff may chose five employees, from the sample mentioned above, and defendant shall do a search limited to those five, based on the reference "series 63." Based on the results of that sample, and depositions that may be appropriate arising out of that sample, the parties may apply to me for further rulings. Based on the results of that sample, and depositions that may be appropriate arising out of that sample, the parties may apply to me for further rulings.

5. Defendant, having shown compliance, post-1999 with discovery requests as to John Feltman, the plaintiff's requests for production pre-1999 are denied.

6. Defendant, having shown compliance with plaintiffs' request for a gender breakdown, plaintiff's request is denied.

7. Defendant shall produce an affidavit, or affidavits, from the person or persons who conducted searches for and productions of documents, or who supervised such searches and productions, describing what they did and in what respects it is full and responsive.

8. The case management conference scheduled for November 4, 2005 at 9:30 A.M. is adjourned to January 6, 2006 at 9:30 A.M.

So Ordered.

Dated: New York, New York
September 22, 2005


Alvin K. Hellerstein
United States District Judge